

RMS-0001 CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: DAVID B. SMITH ET AL. Serial No.: CON. OF SERIAL NO. 10/137,392 FILED MAY 3, 2002 Filed: December 10, 2003 For: MUSIC PERFORMANCE SYSTEM	Art Unit: Unknown Examiner: Not Yet Assigned
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INFORMATION DISCLOSURE STATEMENT ACCOMPANYING FILING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record in the above-identified application the document or documents referenced on the attached Form PTO-1449. A copy of each reference is enclosed herewith.

The cited references are mentioned in the Search Report (copy enclosed) of applicant's corresponding International patent application and are believed relevant for at least that reason.

It is respectfully requested that the information be expressly considered during the prosecution of this application, and that each reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not represent that any referenced document is material or constitutes "prior art." If it should be determined that one or more of the referenced documents

constitute "prior art" under United States law, Applicants reserve the right to present to the
Office the relevant facts and law regarding the appropriate status of the reference or references.

Applicants further reserve the right to take appropriate action to establish the patentability
of the disclosed invention over any referenced document, should it be applied against the claims
of the present application.

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Date: December 10, 2003

Respectfully submitted,

DAVID B. SMITH ET AL.

By:



Lawrence D. Eisen

Registration No. 41,009

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) RMS-0001 CON	Application Number NEW APPLICATION
	Applicant(s) DAVID B. SMITH ET AL.	
	Filing Date DECEMBER 10, 2003	Group Art Unit UNKNOWN

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	5,227,574	07/13/93	MUKAINO	84	652	09/24/91
	2	5,296,641	03/22/94	STELZEL	84	602	03/12/92
	3	5,331,111	07/19/94	O'CONNELL	84	602	10/27/92
	4	5,693,903	12/02/97	HEIDORN ET AL.	84	668	04/04/96
	5	5,740,260	04/14/98	ODOM	381	119	05/22/95
	6	5,792,971	08/11/98	TIMIS ET AL.	84	609	09/18/96
	7	5,801,694	09/01/98	GERSHEN	345	339	12/04/95
	8	5,852,251	12/22/98	SU ET AL.	84	645	06/25/97
	9	6,018,118	01/25/00	SMITH ET AL.	84	600	04/07/98
	10	6,066,794	05/23/00	LONGO	84	626	08/18/98
	11	6,386,985	05/14/02	RACKHAM	472	75	07/26/99

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	6-295269	10/21/94	JAPAN				✓
	WO 01/16931	03/08/01	WIPO			✓	

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		COPY OF ENGLISH LANGUAGE ABSTRACT OF JP 6-295269 COPY OF INTERNATIONAL SEARCH REPORT COPY OF WRITTEN OPINION

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. RMS-0001 CON.	SERIAL NO. NEW APPLICATION
	DAVID B. SMITH ET AL.	
	FILING DECEMBER 10, 2003	GROUP UNKNOWN

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		US 2002/0091004 A1	07/11/02	RACKHAM	472	60	03/13/02

FOREIGN PATENT DOCUMENTS

*	EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER	DATE CONSIDERED
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